

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

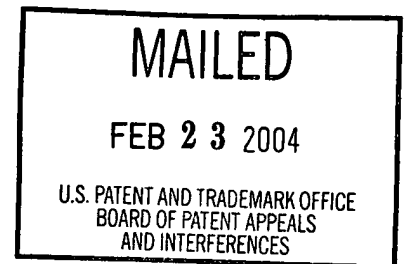
Paper No. 40

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ACHIM H. KROTZ and
VASULINGA T. RAVIKUMAR

Appeal No. 2004-0496
Application 09/032,972



ORDER REMANDING TO THE EXAMINER

On December 16, 2003, Appellants filed a "Reply Brief Pursuant to 37 CFR §1.193" (Paper No. 39). There is no indication on the record that these papers were considered by the examiner.

Accordingly, it is

ORDERED that the instant application be remanded to the Examiner to:

- (1) consider the ""Reply Brief Pursuant to 37 CFR §1.193" (Paper No. 39);
- (2) written notification to appellants of said notification; and
- (3) for such action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103

dem